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DA: Anti-CIA protesters won't be prosecuted if they're peaceful

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BOULDER — The district attorney's office will not prosecute anti-CIA demonstrators next month if their actions are a repeat of April protests at the University of Colorado.

But Deputy District Attorney William Wise warned that there is a line over which the demonstrators can not cross. "If it's the same passive, well-structured protest as last time, we probably will not prosecute," he said. "But if there is an acceleration and there are breaches of the law that endanger people or property, we will respond accordingly."

The group, Community in Action, organized a demonstration in April to protest the presence of CIA recruiters on campus. The CIA was guilty of genocide in Central America, group leaders charged, and they said it was immoral for recruiters to be allowed on campus.

Leaders said they would attempt to make citizen's arrests of the recruiters, charging them with soliciting students to commit crimes. But when they attempted to reach the recruiters, they were arrested and charged with interfering with the operation of an educational institution.

Police arrested 478 demonstrators during a four-day period. Boulder County District Attorney Alex Hunter declined to prosecute the demonstrators, citing procedural difficulties. He also said a court of law was not an appropriate forum to air the group's grievances.

The group plans to demonstrate again Nov. 18,

when CIA recruiters make a one-day visit to campus. Group spokesman Kevin Harris said the protest may be intensified if the university ignores a proposal to form a review board. The board would examine the university's policy toward on-campus recruiting and adopt new policies if necessary.

Wise said he respected the group's right to dissent. "It was proper for them to make passive violations of the law," he said of the April protest. "But they were violations of the law."

"We are not going to knock out drunk driving cases, where we get 3,000 a year, for these kinds of technical violations. We have to carefully prioritize how we use our court time."

One group member, Gonzalo Santos, said Monday the district attorney's office was afraid to prosecute them in April. He said the office knew the group had proof regarding CIA misconduct. It had demanded court trials, he said.

"We are not fronting for the CIA," Wise said. "But we are also not going to react to some kind of dare. We had the legal authority. It was a judgment call and was not worth eating up court time."

Wise said his office was not going to respond to taunts by the group. Their charges that the decision not to prosecute was politically motivated is untrue, he said. "We're not going to get into the I-dare-you kind thing," he said.

The office has had discussions with the CU Police Department about how to handle the protest, Wise said. The April protest was peacefully handled and it is hoped things will go the same way next month.